

REMARKS

In the office action dated 9/24/2008, Claims 17, 19, 22, 23 and 25 have been rejected under 35 U.S.C. §112, second paragraph as allegedly indefinite.

This response addresses the outstanding rejection and places the claims in condition for allowance. Reconsideration of the rejection in view of the following comments, is respectfully requested.

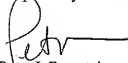
At the outset, Applicants, through the undersigned, wish to thank Examiner Lu for the courtesy and consideration in accordance with a telephonic interview initiated by the Examiner, coupled with a proposed set of claims.

In the one remaining rejection, Claims 17, 19, 22, 23 and 25 have been rejected under 35 U.S.C. §112, second paragraph as allegedly indefinite in view of phrases such as “each target nucleic acid contains a first predetermined partial sequence Fa and a second predetermined partial sequence Sa and the nucleic acid is set forth as (Fa, Sa)” and “the flag sequences D0_j and D1_k are located between SD and ED and a combination of the D0_j and D1_k as set forth in (D0_j, D1_k)”, in Claim 17. The Examiner also seeks clarification of Claim 22 regarding an alleged lack of antecedent basis in the claim for “the probe (Aa, Ba)”.

In response, and in an effort to expedite allowance, Applicants have amended the claims, consistent with the Examiner’s recommendations. All of the outstanding rejections under 35 U.S.C. §112, second paragraph are submitted to have been overcome by the foregoing amendments to the claims. No new matter has been added.

In view of the foregoing amendments and remarks, it is firmly believed that the subject application is in condition for allowance, which action is earnestly solicited.

Respectfully submitted,

A handwritten signature in black ink, appearing to read 'Peter I. Bernstein', with a long horizontal stroke extending to the right.

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